

FILIPPATOS PLLC
Parisis G. Filippatos (PF1593)
303 Park Avenue South, Suite 1422
New York, New York 10010
(212) 682-2400
Attorneys for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOHN L. PETEREC-TOLINO,

08-CV-0891 (SCR) (MDF)

Plaintiff,

- against -

**NOTICE OF
MOTION TO DISMISS**

COMMERCIAL ELECTIRCAL CONTRACTORS, INC.,
CIRO LUPO, STEVEN LONDON, ARTHUR LOWETH,
and EDWARD HARAP,

Defendants.

-----X

PLEASE TAKE NOTICE that all defendants herein, by and through their attorneys, Filippatos PLLC, will move this Court before the Honorable Stephen C. Robinson, at the United States Courthouse for the Southern District of New York, 300 Quarropas Street, Room 633, White Plains, New York 10601, at a time and upon a briefing schedule to be determined by the Court for an order dismissing the complaint against each and every defendant pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that in support of their motion, defendants rely upon the Declaration of Parisis G. Filippatos, dated August 8, 2008, and the exhibits annexed thereto, and the Memorandum of Law, dated August 8, 2008, both of which are submitted herewith, as well as all of the pleadings, submissions, and prior proceedings heretofore had herein.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1 of the

Southern District of New York and the Individual Rules of the Honorable Stephen C. Robinson, a briefing schedule will be set by the Court and that no oral argument is requested by the movants herein.

Dated: New York, New York
August 8, 2008



Parisi G. Filippatos (PF1593)
Filippatos PLLC
303 Park Avenue South, Suite 1422
New York, New York 10010
(212) 682-2400
Attorneys for Defendants

To: To: John L. Peterec-Tolino
14 Straight Path
Rock Hill, NY 12775
Plaintiff Pro Se